



BILL HALLDIN, ROCKLIN, CHAIR
DAN KARLESKINT, LINCOLN
ROBERT WEYGANDT, PLACER COUNTY
PAULINE ROCCUCCI, ROSEVILLE
BONNIE GORE, PLACER COUNTY
KEN GREHM, EXECUTIVE DIRECTOR

MEETING OF THE BOARD OF DIRECTORS AGENDA

December 9, 2021 5:00 PM

Materials Recovery Facility Administration Building
3013 Fiddymment Road, Roseville, CA 95747

The WPWMA Board of Directors December 9, 2021 meeting will be open to in-person attendance. Individuals may also participate in the meeting via Zoom at <https://placer-ca-gov.zoom.us/j/99278392691>

Materials related to an item on this Agenda submitted to the Board of Directors after distribution of the agenda packet are available for public inspection by emailing the Clerk of the Board at info@WPWMA.ca.gov. The Western Placer Waste Management Authority is committed to ensuring that persons with disabilities are provided the resources to participate fully in its public meetings. If you require disability-related modifications or accommodations please contact the Clerk of the Board at (916) 543-3960 or at info@WPWMA.ca.gov. If requested, the agenda shall be provided in appropriate alternative formats to persons with disabilities. All requests must be in writing and must be received by the Clerk three business days prior to the scheduled meeting for which you are requesting accommodation. Requests received after such time will be accommodated if time permits.

1. Call Meeting to Order
2. Pledge of Allegiance (Director Karleskint)
3. Roll Call
4. Statement of Meeting Procedures (Clerk of the Board)
5. Public Comment
This is a time when persons may address the Board regarding items not on this Agenda. It is requested that comments be brief, since the Board is not permitted to take any action on items addressed under Public Comment.
6. Announcements & Information
 - a. Reports from Directors ----
 - b. Report from the Executive Director (Ken Grehm) ----
 - c. Financial Reports (Kevin Bell) Pg. 3
 - d. Monthly Tonnage Reports (Will Scheffler) ----
 - e. Summary of October 2021 Events (Sarah Vaira) Pg. 5
 - f. Legislative Update and Year End Report (Sarah Vaira) Pg. 7
7. Action Items
 - a. Minutes of the Board Meeting held October 14, 2021 Pg. 17
Approve as submitted.

- b. Fifth Amendment to the Agreement with SCS Field Services for Landfill Gas Operation and Maintenance Services (Will Scheffler) Pg. 19
Authorize the Chair to sign the Fifth Amendment to the Agreement with SCS Field Services for modification of landfill gas collection infrastructure associated with temporary disconnection and modification of landfill gas piping in Module 12 and 13 for a total of \$100,000, increasing the total not-to-exceed cost of the Agreement to \$3,862,444.
 - c. Sole-Source Service Agreement with Envirosuite for Odor Monitoring System Software & Maintenance (Jennifer Snyder) Pg. 25
Authorize the Executive Director or designee, upon review and approval by WPWMA Counsel, to sign a three-year sole-source service agreement with Envirosuite Corp. for routine maintenance, support and operational upgrades of the WPWMA's continuous odor monitoring system for an amount not to exceed \$150,000.
- 8. Upcoming Agenda Items
Identification of any items the Board would like staff to address at a future meeting.
 - 9. Adjournment

Western Placer Waste Management
Operations Fund Income Statement
(unaudited/depreciation excluded)

Year-to-Date
October 2021

	Year to Date			Notes
	Annual Budget	Budget	Actuals	
Revenue				
42010:Investment Income	109,229	36,410	18,765	(17,645) Overestimated rate of return
42030:Rents and Concessions	412,477	137,492	152,224	14,731 Energy 2001 royalties exceeding budgeted amounts; includes \$963.05 in over-remitted royalties
46240:Sanitation Services - Other	33,018	10,750	11,195	445 Quantity of waste tonnages received at facility exceeding budgeted projections
46250:Solid Waste Disposal	42,514,953	13,810,475	14,507,210	696,735 Quantity of waste tonnages received at facility exceeding budgeted projections
48030:Miscellaneous	7,500	2,500	60,458	57,958 Variance predominately related to recyclable revenue sharing payment from Nortech and sale of excess soils
Total Revenue	43,077,177	13,997,627	14,749,851	752,224
Expenses				
42,967,948				
Capital Assets:				
54450:Equipment	385,000	-	-	- Projects not initiated yet.
54470:Infrastructure	2,025,000	-	-	- Projects not initiated yet.
54480:Land Improvements	8,048,140	372,104	353,621	18,483 Costs related to compost pond project only.
Operating Expenses:				
51010:Wages and Salaries	2,187,698	729,233	541,119	188,114 Approximately \$111,000 allocated for positions not filled.
52030:Clothing and Personal	3,500	1,167	382	785
52040:Communication Services Expense	35,000	11,667	2,684	8,982 SCADA related fees not yet realized or billed.
52050:Food	1,500	500	240	260
52060:Household Expense	3,000	1,000	61	939
52080:Insurance	212,000	70,667	80,322	(9,655) Reflects monthly payment of property and drone insurance and full annual premium for pollution liability.
52140:Parts	1,500	500	32	468
52160:Maintenance	32,746	10,915	18,263	(7,348) Includes annual payment for drone deploy software. Other costs incurred monthly or quarterly.
52161:Maintenance - Building	25,000	6,250	21,138	(14,888) Annual building maintenance costs significantly higher than budgeted or previous year's amounts
52170:Fuels & Lubricants	300	100	-	100
52180:Materials - Buildings & Improvements	300	100	-	100
52240:Professional / Membership Dues	2,600	-	403	(403) Normally all staff membership dues paid at same time - annual payment for one staff member earlier than others.
52250:Services and Supplies	200	67	90	(23)
52260:Misc Expense	2,000	667	-	667
52320:Printing	8,000	2,667	7,591	(4,924) Includes \$4,789.46 in unbudgeted printing overhead costs.
52330:Other Supplies	25,000	8,333	6,627	1,707
52340:Postage	3,500	1,167	925	242
52360:Prof. & Special Svcs - General	4,730,305	1,576,768	507,767	1,069,001 Anticipated costs not yet realized due to phased nature of projects and resulting consultant services
52370:Professional and Special Services - Legal	75,000	25,000	16,175	8,826
52380:Prof. & Special Svcs - Tech., Eng. & Env.				
SC3140:Building Maintenance Installation and Repair Services	5,000	1,667	-	1,667
SC3180:MRF Operations	19,397,601	5,727,437	6,079,632	(352,195) Increased processing fees due to higher than projected tons
SC3190:Landfill Operations	2,764,327	921,442	651,736	269,706 Includes \$160,000 in reverse accruals and lower extra services charges than anticipated.
SC3320:Environmental and Ecological Services	1,000,000	333,333	-	333,333 WPWMA now direct billed for actual labor costs. Some overhead previously built into labor rates not yet realized.
SC3322:Hazardous Waste	110,000	-	-	-
52390:Prof. & Special Svcs - County	126,000	42,000	9,430	32,570 MOU charge from County Auditor not realized yet.
52400:Prof. & Special Svcs - IT	40,000	13,333	6,471	6,863 Monthly IT charges less than budgeted amount.
52440:Rents and Leases - Equipment	100	33	-	33
52450:Rents and Leases - Buildings & Improvements	100	33	-	33
52460:Small Tools & Instruments	1,000	333	24	309
52480:PC Acquisition	12,500	-	-	-
52510:Commissioner's Fees	6,000	2,000	1,400	600 Did not hold the August 2021 meeting
52540:Signing & Safety Material	10,000	3,333	48	3,285 Lower than expected need at this point in the FY for sign and safety materials
52570:Advertising	30,000	10,000	6,936	3,064 Cornstock's South Placer insert one-time cost.
52580:Special Department Expense	14,060	4,687	3,725	962
52785:Training / Education	10,000	2,500	-	2,500
52790:Transportation and Travel	50,000	16,667	13,687	2,980
52800:Utilities	300,000	100,000	36,762	63,238 Annual costs factored into YTD budget amount but not billed or realized yet.
52810:Operating Materials	-	-	-	-
53190:Taxes and Assessments	749,302	374,651	129,730	244,921 Anticipated annual permit operating fee expenditures not yet realized or billed
53250:Contributions to Other Agencies	-	-	-	-
53390:Transfer Out A-87 Costs	250,000	83,333	83,333	-
55510:Operating Transfer Out	-	-	-	-
59000:Appropriation for Contingencies	-	-	-	-
Total Expenses	42,683,278	10,455,653	8,861,542	1,594,111
Net Income	393,899	3,541,974	5,888,309	2,346,335

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**MEMORANDUM
WESTERN PLACER WASTE MANAGEMENT AUTHORITY**

TO: **WPWMA BOARD OF DIRECTORS** DATE: **DECEMBER 9, 2021**
FROM: **KEN GREHM / SARAH VAIRA**
SUBJECT: **SUMMARY OF OCTOBER 2021 EVENTS**

RECOMMENDED ACTION:

None. This item is for information purposes only.

BACKGROUND:

The WPWMA hosted several community recycling and outreach events in October 2021, summarized as follows:

Odor Workshop

On October 13, 2021, the WPWMA held its 11th annual community meeting to discuss facility odors. Due to continued COVID-19 restrictions, this year's meeting was conducted virtually. Staff provided information regarding regional odor sources, the WPWMA's Site Wide Odor Plan and odor monitoring efforts, an overview of SB 1383, and updates on the Renewable Placer Waste Action Plan. Staff worked with its outreach consulting firm (JPW) to promote the event through online ads, the Placer Recycles website and newsletter, social media channels; and a banner placed near the WPWMA's offices. A total of 20 people attended this year's meeting.

Household Hazardous Waste (HHW) Event

In addition to the WPWMA's permanent Household Hazardous Waste (HHW) facility, the WPWMA has conducted annual HHW collection events in the Auburn area since 2003 as a more convenient disposal option for residents located between Loomis and Colfax. Use of the permanent facility as well as participation in the annual events is free to Placer County residents; disposal costs apply to businesses.

This year's event was held Saturday and Sunday, October 9th and 10th at the Gold Country Fairgrounds in Auburn and drew 968 total participants, compared to 854 participants in 2020 and 780 in 2019. WPWMA staff will report quantities and costs to your Board at an upcoming meeting. Staff will also be researching opportunities to conduct events at alternative locations to increase HHW event access to residents of all the Participating Agencies.

Mattress Recycling Event

Staff worked with the Mattress Recycling Council (MRC) to host a one-day mattress recycling collection event at the WPWMA's facility on Saturday, October 16, 2021. MRC is a non-profit that assists the mattress industry with fulfilling its legal obligations to work with local governments and waste management facilities to recycle used mattresses. During the event, residential customers could drop off up to 4 mattresses, box springs or futon pads at no cost. The event resulted in 500 mattresses collected and 27,500 pounds of material diverted from the landfill.

MRC provided the necessary staffing, collection, and off-site transport of mattresses at no cost to the WPWMA. Staff worked with JPW to promote the event through online ads, the Placer Recycles website and newsletter, social media channels, and onsite advertising near the public drop-off area.

Oil Filter Exchange

Staff coordinated with JPW to conduct a free oil filter exchange event during the entire month of October. Residents of the Participating Agencies could exchange a used oil filter at three AutoZone and three O'Reilly's Auto Stores within the WPWMA's service area to receive \$10 toward a new filter. Staff worked with JPW to advertise the event on the Placer Recycles website, newsletter, and Google and social media ads resulting in the collection of 1027 used oil filters. There was no direct cost to the WPWMA for conducting this collection event; CalRecycle's Used Oil Payment Program funds were used to pay for all costs related to the event.

**MEMORANDUM
WESTERN PLACER WASTE MANAGEMENT AUTHORITY**

TO: **WPWMA BOARD OF DIRECTORS** DATE: **DECEMBER 9, 2021**
FROM: **KEN GREHM / SARAH VAIRA**
SUBJECT: **LEGISLATIVE UPDATE AND YEAR-END REPORT**

RECOMMENDED ACTION:

None. This report is for information purposes only.

BACKGROUND:

On July 8, 2021, your Board approved the 2020 Legislative Strategic Agenda that outlined the WPWMA’s priorities and guided Shaw Yoder Antwih Schmelzer & Lange’s (SYASL) advocacy efforts for the legislative year, which ended on September 10, 2021.

The COVID pandemic continued to affect the Legislature including limiting the number of bills introduced by members of the Legislature. This was the first year of a two-year session, and SYASL continues to track legislation and regulation impacting the WPWMA. Together, WPWMA staff and SYASL commented or directly engaged on the following bills:

Bill	Subject	Status	WPWMA Position
AB 332	Hazardous waste: treated wood waste: management standards	Signed into law	Support
AB 881	Plastic waste: diversion: recycling: export	Signed into law	Concerns
SB 244	Lithium-ion batteries and products	Vetoed	Support
SB 289	Recycled batteries and products	Dead	Support
SB 343	Environmental advertising: recycling symbol	Signed into law	Watch
SB 619	Organic waste: reduction regulations	Signed into law	Neutral

This year’s State budget surplus allowed for a first-time investment into organic waste infrastructure funding. A total of \$130 million dollars was allocated from the Cap-and-Trade fund to CalRecycle for waste/diversion recycling infrastructure, including \$70 million for organics grants and \$60 million for local jurisdiction grants to assist in the implementation of SB 1383. WPWMA staff and SYASL recently met with CalRecycle to discuss organics infrastructure grant these opportunities and will be monitoring the grant as funding becomes available.

In June, the Statewide Commission on Recycling Markets and Curbside Recycling released their final policy report which includes 30 policy recommendations. These policy recommendations are designed to achieve recycling market development and waste reduction goals. Some of the recommendations are producer responsibility for market development, recyclability definitions, carpet stewardship and more. WPWMA staff and SYASL anticipate that these recommendations will be introduced into the 2022 legislative session and will be monitoring these recommendations for alignment with WPWMA’s Waste Action Plan and circular economy efforts.

ATTACHMENT: SYASL REPORT



1415 L Street
Suite 1000
Sacramento
CA, 95814
916-446-4656

DATE: December 9, 2021

TO: The Western Placer Waste Management Authority Board of Directors

FROM: Jason Schmelzer, Karen Lange, and Priscilla Quiroz
Shaw Yoder Antwih Schmelzer & Lange

SUBJECT: 2021 Year-End Report

On behalf of all of the employees of Shaw Yoder Antwih Schmelzer & Lange (SYASL), we'd like to thank the Board of Directors for entrusting our firm with the important task of providing legislative and regulatory advocacy services to the Western Placer Waste Management Authority (WPWMA). In order to aggressively advocate on behalf of WPWMA, our firm devotes two partner-level advocates who are also policy experts on local government and environmental policy, as well as an additional advocate to provide supportive efforts. Our core function is to identify legislation of interest, assist in the policy analysis, consult on the political implications of engaging, and then to actively lobby in furtherance of WPWMA's position. Ongoing support includes monitoring of legislation and regulation, providing weekly and monthly updates, drafting and submitting comment letters, and participating in legislative and regulatory hearings and workshops on behalf of WPWMA.

The legislature's operations this session were still limited once again due to the COVID-19 environment. Most legislative business was conducted under strict safety protocols. Legislative offices were once again closed to drop-in visits from lobbyists, legislators were limited in the number of bills they could move to the second house, and much of the legislative staff worked from home. Despite these challenges, the legislature was quite successful at conducting business this year and at no time did they have to completely shut down like they did in 2020. However, the legislature continued to limit the number of committee hearings to adhere social distancing guidelines. This reduction in hearings limited the number of bills that were able to move through the legislative process. Additionally, the Senate pro Tem Atkins and Assembly Speaker Anthony Rendon [announced](#) in mid- May that legislators would only be allowed to move 12 bills each this legislative session. As a result, very few bills will be signed into law this year and many controversial bills will have to wait until 2022.

The California State Legislature has begun the first year of the 2021-2022 legislative session. 1,764 Assembly bills and 931 Senate bills have been introduced in 2021, totaling 2,695 bills. By the end of the legislative session, the Legislature sent 835 bills to the Governor for his consideration, signing 769 and vetoing 66 bills.

This report outlines legislation related to solid waste below based on their current status. We also outline relevant regulatory efforts and budget updates.

2021 LEGISLATIVE REPORT

This report outlines solid waste related legislation based on their current status. WPWMA staff has directed the SYASL lobbying team to actively advocate on several pieces of legislation in the first year of the 2021-21 legislative session. This report also summarizes several other pieces of legislation that, while WPWMA has not taken a formal position on them, may impact the operations of WPWMA.

Bills with an established WPWMA Position

AB 246 (Quirk) Contractors: Disciplinary Actions –Support

WPWMA was supportive of this legislation that authorize the Contractors State License Board to take disciplinary action against This bill authorizes the Contractors State License Board to take disciplinary action against a licensee for the improper disposal of a contractor-related materials/debris if such disposal is a violation determined by a local government or agency. As illegal dumping continues to be a serious problem, WPWMA is supportive of measures that will help curb this issue.

This bill was signed into law by the Governor on July 9, 2021.

AB 332 (Committee on Environmental Safety and Toxic Materials) Hazardous waste: treated wood waste: management standards.- Support

This bill would re-establish statutory changes to simplify the process for handling and disposal of treated wood waste. This bill would declare that it is to take effect immediately as an urgency statute. WPWMA is supportive of this measure as it will help elevate the current high cost of disposal, due the very few options for disposal of hazardous treated wood waste in California, and enact less stringent alternative management standards similar to the ones that expired in 2020.

This bill was signed into law by the Governor on August 31, 2021.

AB 881 (Gonzalez) Plastic waste: diversion: recycling: export- Concerns

This bill would prohibit the export of plastic waste from counting as diversion for purposes of AB 939 unless the plastic waste is a mix of polythene, polypropylene, or polyethylene terephthalate, is destined for separate recycling of each material, and complies with the Basel Acord and other agreements. This bill also requires reports on types and quantities of materials from recycling and composting operations and facilities to CalRecycle to include the jurisdiction or region of origin for exported materials that are a mixture of plastic waste and requires CalRecycle to make that information publicly available. The WPWMA is concerned with the penalizing diversion credit based on actions by recycling brokers that may be outside of WPWMA control.

This bill was signed into law by the Governor on October 5, 2021.

AB 1001 (C. Garcia) Environment: air pollution and mitigation measures for air and water quality impacts - Oppose unless amended

This bill would require that air districts, in a nonattainment area, review existing emissions sources and mandate that each source is subject to a regulation employing best available retrofit control technology (BARCT). WPWMA concerned that this measure is that it duplicative of existing laws and regulations and will create new requirements that may impede their ability to provide the essential public service of solid waste management (including recycling) for the communities they serve.

This bill is a two-year bill and is pending in the Assembly Natural Resources Committee.

AB 1200 (Ting) Plant-based food packaging cookware hazardous chemicals- Support and Seek amendments

This bill bans the toxic “forever chemicals” known as PFAS from paper, paperboard or plant-based food packaging, utensils and paper straws, effective January 1, 2023. The measure also requires manufacturers to label cookware that contains toxic chemicals on product handles or coatings, starting January 1, 2024. The WPWMA is supportive of reducing toxic chemicals in products as long as there are less toxic alternatives available.

This bill was signed into law by the Governor on October 5, 2021.

AB 1276 (Carrillo) Single- use food accessories- Support

This bill would prohibit a food facility or a third-party food delivery platform from providing single-use food accessories, such as cutlery, straws and condiment packets, to consumers unless requested by the consumer. The WPWMA is supportive of legislation that would reduce single use plastic waste.

This bill was signed into law by the Governor on October 5, 2021.

SB 244 (Archuleta) Lithium-ion batteries and battery embedded products- Support

This bill would require the Department of Forestry and Fire Protection (CAL FIRE), in consultation with relevant state agencies like the California Highway Patrol (CHP), the Department of Toxic Substances Control (DTSC), and the waste industry, to develop protocols for the proper management of the disposal of lithium-ion batteries using existing resources, including safe handling, detection, and the suppression of fires originating from discarded lithium-ion batteries. WPWMA is supportive of legislation that would reduce fires as solid waste facilities.

This bill was vetoed by the Governor. According to the [veto message](#), “this bill duplicative of efforts already taken by local governments and stakeholder groups and does not propose a meaningful solution to the problem.”

SB 289 (Newman) Recycling batteries and battery-embedded products. - Support

This bill would create a statewide, producer-run collection and recycling program for loose and product embedded batteries at retail locations across the state. The WPWMA is supportive of legislation that requires producers to fund and implement recycling programs for hazardous or difficult to manage waste.

This measure was held in Senate Appropriations Committee.

SB 343 (Allen) Environmental advertising: recycling symbol. – Watch

This bill would prohibit the use of the chasing-arrows symbol or any other suggestion that a material is recyclable, unless the material is actually recyclable in most California communities and is routinely sold to manufacturers to make new products.

This bill was signed into law by the Governor on October 5, 2021.

SB 580 (Hueso) Department of Transportation: highways and roads: recycled plastics study and specifications. – Support

This bill authorizes the Department of Transportation (Caltrans) to conduct a study to assess the feasibility, cost effectiveness, and life-cycle environmental benefits of including recycled plastics in asphalt used as paving materials, and, depending on the findings, authorizes Caltrans to develop specifications for the use of recycled plastics in asphalt. WPWMA is supportive of legislation that would promote recycling markets for recovered plastics.

This bill is a two-year bill and is currently sitting in Senate Appropriations Committee.

SB 619 (Laird) Organic waste: reduction regulations. -Neutral

This bill authorizes a local jurisdiction facing continuing violations of the regulations adopted pursuant to SB 1383 (Lara, 2016), to submit a notice of intent to comply (NOI) to the CalRecycle. If approved by CalRecycle, the jurisdiction is eligible for administrative civil penalty relief for the 2022 calendar year and a corrective action plan.

This bill was signed into law by the Governor on October 5, 2021.

Bills WPWMA is Monitoring

AB 1 (C. Garcia) Hazardous Waste

This bill attempts to reform the Department of Toxic Substances Control (DTSC). Specifically, this bill creates the Board of Environmental Safety within the California Environmental Protection Agency (CalEPA) to provide policy direction to and oversight of the DTSC.

This bill is a two-year bill after the Governor's state budget package included DTSC Reform package containing three major components: Establishing a Board of Environmental Safety; fee reform; and programmatic reform.

AB 33 (Ting) Energy Conservation Assistance Act of 1979: energy storage systems and transportation electrification infrastructure.

This bill expands the types of projects eligible to receive funding from the California Energy Commission's (CEC) Energy Conservation Assistance Account, to include installation of energy storage systems and electric vehicle (EV) infrastructure.

This bill was signed into law by the Governor on September 23, 2021.

AB 318 (Levine) Hazardous waste: classification: cannabis waste.

This bill requires the Department of Toxic Substances Control (DTSC) to provide guidance to the Certified Unified Program Agencies (CUPAs) on how to characterize cannabis waste under existing code and regulations. Authorizes DTSC to adopt regulations that establish alternative management standards for the management of cannabis waste.

This bill is a two-year bill and is currently sitting in Assembly Floor.

AB 478 (Ting) Solid waste: thermoform plastic containers: postconsumer thermoform recycled plastic: commingled rates.

This bill would establish minimum recycled content requirements for thermoform plastic containers and redefine “commingled rate” for purposes of California’s Bottle Bill program. The measure also requires CalRecycle to exclude thermoform plastic for purposes of calculating the commingled rate for each type of plastic container.

This bill was held in Senate Appropriations Committee.

AB 1035 (Salas) Department of Transportation and local agencies: streets and highways: recycled materials.

This bill requires local agencies to apply the California Department of Transportation's (CalTrans) most recent standards for the use of recycled materials in pavement between January 1, 2023 and January 1, 2026.

This bill was [vetoed](#) by the Governor because it may result in increased costs for CalTrans.

AB 1371 (Friedman) Recycling: plastic: packaging and carryout bags.

This bill prohibits online retailers from using single-use plastic packaging and reinstates the at store recycling program for plastic bags. It would also requires online retailers with at least one physical location in the state with in-person sales to provide a take back container for plastic film and EPS packaging for consumers at each location.

This bill failed on the Assembly Floor in June. AB 1371 is a two-year bill and must pass out of the first house by the end of January 2022 to move forward.

2021-22 STATE BUDGET REPORT

On June 28, Governor Newsom signed [AB 128 \(Ting\)](#), which reflected a spending framework agreement between the Legislature and the Governor. This \$262.6 billion spending plan for the fiscal year that began July 1 was fueled by a \$76 billion state surplus and \$27 billion in federal aid. However, there were a few disagreements on a few budget items, which lead to the introduction of [SB 129 \(Skinner\)](#), which represents weeks of negotiations between the Governor and legislative leaders, which was signed on July 12.

Given the substantial resources available this year and disagreements on a few budget items, the legislature passed more than a dozen budget bills when they returned from summer recess. This included [SB 170 \(Skinner\)](#), which finishes allocating most of the funds initially agreed to in the summer budget.

SYASL will note that the administration is anticipating another historic surplus next year. In addition to the surplus, the governor has stated that California has already collected \$14 billion more in tax revenue than expected for the current budget year.

SYASL monitored the budget process for WPWMA, with a particular focus on conversations held in the Assembly Budget Subcommittee No.3 on Resources and Transportation and the Senate Budget and Fiscal Review Subcommittee No. 2 on Resources, Environmental Protection, Energy & Transportation.

Climate Change

The 2021-22 budget package provides a total of \$21.7 billion from various fund sources—the General Fund, bond funds, and various special funds—for programs administered by the California Natural Resources and Environmental

Protection Agencies. This is a net increase of \$4.8 billion compared to 2020-21 estimated expenditures. This increase is primarily due to two factors. First, the approved budget includes roughly \$6.9 billion for various natural resources and environmental programs in several “packages” related to climate change, drought, wildfires, and other issues. Second, the budget includes a \$1.5 billion discretionary cap-and-trade expenditure plan that is significantly larger than the one approved in 2020-21.

Circular Economy

Appropriates \$140 million over two years to develop a more sustainable circular economy and reduce plastic pollution. Historically, California has shipped recyclable material to other nations, which contributes to the global carbon footprint. These investments will help reduce global carbon emissions and generate the feedstock to attract remanufacturing companies to California.

- Approves \$75 million in this budget year and \$65 million in 2022-2023 for a combined \$140 million two-year Circular Economy package.
 - \$3 million to CalRecycle for food waste prevention and rescue programs.
 - \$5 million to CalRecycle for community composting.
 - \$2 million to CalRecycle for Circular Economy development.
 - \$10 million to CalRecycle for co-digestion at wastewater treatment plants.
 - \$20 million to CalRecycle for organics grants.
 - \$25 million to CalRecycle for the Recycling Market Development Zone Loan Program.
 - \$10 million to CalRecycle for the Quality Incentive Payment Program for plastic thermoforms.

Cap-and-Trade

The 2021-22 budget allocates \$3.4 billion from GGRF for various programs. This plan includes \$1.8 billion in continuous appropriations, \$186 million in other existing spending commitments, and \$1.5 billion in discretionary spending. The plan assumes about \$2.8 billion in auction revenue in 2021-22, about \$700 million carried over from the end of 2020-21, and \$60 million in interest income accrued to the fund.

SYASL will note the following allocations:

- \$130 million to CalRecycle for waste diversion/recycling infrastructure, \$70 million for organics grants and \$60 million for grants to local jurisdictions to assist in implementation of SB 1383 (Lara, 2016).
- \$25 million to CDFA for the Healthy Soils Program.
- \$15 million to Department of Community Services and Development for the Low-Income Weatherization Program (LWIP).
- \$30 million to ARB for small off-road engines (e.g. leaf blowers)
- \$565 million to ARB for Low Carbon Transportation, which includes \$315 for Clean Trucks, Buses, and Off-Road Freight Equipment.

- \$20 million to State Water Board for Safe and Affordable Drinking Water

Clean Transportation

Allocates \$3.9 billion over three years to reduce emissions from the transportation sector, which accounts for nearly 50 percent of California’s annual emissions. This package provides funding for clean cars, trucks, and buses, infrastructure programs, and ongoing funding to ensure low-income Californians can afford to own a clean car.

- Clean Vehicle Rebate Project (CVRP): Provides \$525 million to CVRP, which provides customer rebates for new ZEV purchases. Although all of the funding is allocated in 2021-22, the funding is available to be spent until June 30, 2024. It also directs the California Air Resources Board (CARB) to develop CVRP rebate levels that phase down as cumulative sales volumes increase. These rebate levels must be consistent with a goal of 1 million total ZEVs on the road by January 1, 2023, and 5 million ZEVs by 2030. Additionally, of the \$525 million provided to CVRP, the budget specifies that \$10 million General Fund is available to establish a new Electric Bicycle Incentives Project to provide financial incentives for purchasing electric bicycles
- ZEV Fueling Infrastructure Grants: Includes \$500 million on a one-time basis from the General Fund for ZEV fueling infrastructure, including electric vehicle charging stations and hydrogen fueling stations.
- Carve-Out for Specific Types of Heavy-Duty Vehicles: Provides allocations for three specific vehicle types: drayage trucks (\$225 million), school buses (\$150 million), and transit buses (\$100 million).

2021 REGULATORY REPORT

State Regulations

Short-Lived Climate Pollutants

SB 1383 (Lara, Chapter 395, Statutes of 2016) codified that ARB’s Short-Lived Climate Pollutants Reduction Strategy, establishing methane emissions reduction targets in a statewide effort to reduce short-lived climate pollutants. Specifically, the bill established targets to achieve a 50% reduction in the level of statewide disposal of organic waste from the 2014 level by 2020 and a 75% reduction by 2025. The bill also established a target of not less than 20% of currently disposed edible food to be recovered for human consumption by 2025. As it relates to WPWMA, if a facility receives mixed waste streams, it must qualify as a “High Diversion Facility”, that by definition must recover at least 50% of organic waste from the mixed waste stream by 2022 and 75% by 2025.

In November 2020, CalRecycle’s regulations were approved by the Office of Administrative Law (OAL) and take effect January 1, 2022. The regulatory package is comprehensive, placing various responsibilities on local jurisdictions. The six main requirements of the regulations are: 1) Providing mandatory organic waste collection services; 2) Edible food recovery program; 3) Education and outreach to the community; 4) Procurement requirements for products made from organic materials; 5) Providing access to edible food and composting facilities; and, 6) Monitoring and enforcement by the local jurisdictions. Pursuant to statutory requirements, local jurisdictions cannot issue enforcement penalties until two years after the operative date of the regulations – January 1, 2024.

WPWMA this year worked closely with local governments associations and the Solid Waste Association of North America (SWANA) Legislative Task Force to receive relief and funding to implement SB 1383. While the coalition was not successful in passing a measure that delayed the dates within SB 1383, we successful got the state to invest in infrastructure, the most we've ever seen the state invest. SYASL has already been discussing with the coalition on upcoming issues with SB 1383 that may need legislative fixes, such as procurement. SYASL has already been discusses with the coalition on upcoming issues with SB 1383 that may need legislative fixes, such as procurement. SYASL will continue to update WPWMA staff on these efforts.

CalRecycle Packaging Reform Concepts

CalRecycle is hosting informal public workshops to discuss legislative and regulatory concepts pertaining to packaging reform, as part of the efforts to reach the statewide 75% by 2020 diversion goal. CalRecycle envisions finalizing a packaging policy model sometime this year. CalRecycle has thus far discussed draft screening criteria for determining priority packaging types, including prevalence in the waste stream, increasing or steady usage trend, current collection and/or processing infrastructure, contamination of material, reusability and recyclability, GHG impacts, and waterway and marine debris.

SYASL will continue to engage in and monitor these discussions to determine potential benefits for WPWMA, such as an EPR define approach, but also for potential detrimental proposals, such as a mandatory packaging approach that could adversely affect traditional local control over the collection and processing of solid waste and recyclables.

SB 212 Regulatory Process

On September 30, 2018, Governor Brown signed SB 212 (Jackson, Ting, and Gray), a bill to create a statewide takeback program for pharmaceutical medications and sharps products from households. The bill requires manufacturers of these products to create, fund, and operate a stewardship program that provides for the takeback of covered drugs and home-generated sharps waste from households as well as reimbursement of local agency sharps disposal costs.

On January 7, 2021, the Office of Administrative Law approved the regulation, after minor non-substantial edits were made, and forwarded them to the California Secretary of State for publishing. CalRecycle requested an early effective date, which was granted; therefore the regulations were effective immediately on January 7, 2021.

Treated Wood Waste

From 2008 to 2020, the state had specific standards for disposing of wood treated with a chemical preservative, as specified (known as treated wood waste or TWW). In 2020, however, the Governor vetoed SB 68 (Galgiani, 2019), which would have eliminated the sunset on the treated wood waste management standards and made certain changes to the program; the Governor's veto message stated that the additions to the program would have exacerbated the Hazardous Waste Control Account's existing structural deficit and improperly exempted treated wood waste from other hazardous waste laws and regulations. As a result, there is no clear guidance on means of disposing of treated wood waste other than at a Class I hazardous disposal facility, which is significantly more onerous than under the prior laws.

The elimination of the alternative management standards for treated wood waste has led to a sharp increase in the cost of disposing of treated wood waste and in the improper disposal of treated wood waste, likely due to the added burden of doing so. In the absence of clear guidance on how treated wood waste should be disposed, the Department

of Toxic Substances Control developed a temporary, short-term fix by issuing variances to generators, transporters, handlers, and disposal facilities for the management and disposal of TWW. The variance system was not intended to be a permanent solution, but instead facilitates the proper management and disposal of TWW while the Legislature crafts a long-term approach.

SYASL worked with a coalition of local governments and solid waste organizations in getting DTSC to issue variances, but also getting AB 332 (Committee on Environmental Safety and Toxic Materials) introduced, which will facilitate the safe and proper handling and disposal of TWW by codifying the Alternative Management Standards that sunset on January 1, 2021. Those standards significantly eased the burdens associated with proper transportation, management, and disposal of TWW. AB 332 passed through the legislative process and was signed by the Governor on August 31. Given the immediate need to address this issue, this measure had an urgency clause, which means it went into effect when the bill was signed.

SYASL will continue to monitor and provide updates to WPWMA staff on DTSC's actions.

Other Forthcoming Issues

There are several potentially significant reform efforts coming in 2022 that could impact WPWMA operations. While the fate of these efforts is unclear at this point, following is a brief preview of each issue.

CalRecycle: Statewide Commission on Recycling Markets and Curbside Recycling

In 2019, Governor Newsom signed into law The California Recycling Market Development Act (AB 1583, Eggman). This act requires CalRecycle to convene a Statewide Commission on Recycling Markets and Curbside Recycling consisting of representatives of public agencies, private solid waste enterprises and environmental organizations that have expertise in recycling. The Commission is tasked with providing policy recommendations for achieving specified market development and waste reduction goals and to provide regular feedback to CalRecycle on public messaging designed to encourage proper recycling and to minimize contamination in curbside recycling programs..

The Commission held their first meeting on June 24, 2020 and have since been holding meetings on the first and third Wednesday every month. They have also developed four committees that cover: market development, organics, recycling, and labeling and media. These committees are currently reviewing policy proposals that have been submitted through the Commission's public portal. The commission was required to submit preliminary policy recommendations to the legislature by January 1, 2021. However, with the governor approving AB 2287 (Eggman, 2020), it has given the Commission an additional six months to development policy recommendations. A preliminary policy report was published on January 1, 2021, proposing 19 different policies. A number of these policies were introduced this legislative session, which SYASL flagged for WPWMA staff. The Commission released their final [report](#) on June 25, which included 30 policy recommendations. Some of these recommendations included producer responsibility for market development, what is recyclable, renewable technology/organic discards to energy infrastructure and market development, carpet stewardship and others. SYASL anticipates that some of the recommendations will be introduced in 2022. SYASL will continue to monitor for WPWMA.

WESTERN PLACER WASTE MANAGEMENT AUTHORITY

Minutes of October 14, 2021

The meeting of the Western Placer Waste Management Authority Board of Directors was called to order at 5:02 PM by Chairman Halldin in the WPWMA Administration Building at the Materials Recovery Facility.

Directors Present:

Bill Halldin
Dan Karleskint
Robert Weygandt
Pauline Roccucci

Staff Present:

Ken Grehm
Kevin Bell
Eric Oddo
Rob Sandman

Ryan Schmidt
Heather Wilden
Becky Correa (online)

1. Call Meeting to Order: Chairman Halldin called the meeting to order at 5:02 PM.
2. Pledge of Allegiance: Director Roccucci led the Pledge of Allegiance.
3. Roll Call: Director Gore was absent.
4. Statement of Meeting Procedures: Heather Wilden read the procedures for in-person meeting participation.
5. Public Comment: None.
6. Announcements & Information:
 - a. Reports from Directors: Director Roccucci noted that she recently had the opportunity to tour facilities operated by one of the firms proposing to operate the MRF and that it was interesting to compare that operation to the WPWMA's current MRF operation.
 - b. Report from the Executive Director: Ken Grehm updated the Board on issues related to the new composting permit issued by the Placer County Air Pollution Control District, the potential for the WPWMA to receive debris from the River Fire, and staff's intent to return to the Board in November with recommendations related to the ongoing MRF and WRSL operations procurement process. There were no questions from the Board.
 - c. Financial Reports: Eric Oddo summarized the report. There were no questions from the Board.
 - d. Monthly Tonnage Reports: Eric Oddo summarized the report. There were no questions from the Board.
 - e. SB 1383 Update: Eric Oddo summarized the report. There were no questions from the Board.

7. Action Items:

a. Minutes of the Board Meeting held September 9, 2021:

Staff recommended the Board approve the item as submitted.

MOTION TO APPROVE ITEM 7a:

Karleskint/Roccucci

Vote: Unanimous

b. North Compost Leachate Pond Expansion:

Staff requested that your Board confirm the maximum spending authority delegated to the Executive Director or designee related to construction of the North Compost Leachate Pond in an amount not to exceed \$2,647,700.

Ryan Schmidt summarized the report and answered questions from the Board.

MOTION TO APPROVE ITEM 7b:

Weygandt/Karleskint

Vote: Unanimous

c. Fiscal Year 2021/22 Final Budgets:

Staff recommended approval of the Fiscal Year 2021/22 Final Budgets for the Operating Fund, Closure/Postclosure Fund, Self Insurance Fund and Odor Management Fund as presented in Exhibits A, B and C.

Eric Oddo summarized the report and answered questions from the Board.

MOTION TO APPROVE ITEM 7c:

Roccucci/Weygandt

Vote: Unanimous

8. Upcoming Agenda Items: None.

9. Adjournment: Meeting was adjourned at 5:36 PM.

Respectfully Submitted,



Heather Wilden, Clerk of the Board
Western Placer Waste Management Authority

**MEMORANDUM
WESTERN PLACER WASTE MANAGEMENT AUTHORITY**

TO: **WPWMA BOARD OF DIRECTORS** DATE: **DECEMBER 9, 2021**
FROM: **KEN GREHM / WILL SCHEFFLER**
SUBJECT: **FIFTH AMENDMENT TO THE AGREEMENT WITH SCS FIELD
SERVICES FOR LANDFILL GAS OPERATION AND MAINTENANCE
SERVICES**

RECOMMENDED ACTION:

Authorize the Chair to sign the Fifth Amendment to the Agreement with SCS Field Services (SCS) for modification of landfill gas (LFG) collection infrastructure associated with temporary disconnection and modification of LFG piping in Module 12 and 13 for a total of \$100,000, increasing the total not-to-exceed cost of the Agreement to \$3,862,444.

BACKGROUND:

On the evening of November 10, 2021, the Materials Recovery Facility (MRF) experienced a fire which shutdown most of the electrical power to the facility and damaged two primary sorting lines. The damage rendered the facility completely inoperable between November 11th and November 22nd. During this period, all Municipal Solid Waste (MSW) received at the facility was directed to the landfill for disposal. After an initial damage assessment, Nortech initiated modifications to the MRF to allow a phased return to operations. Beginning Tuesday November 23rd, Nortech began receiving and processing a portion of the MSW in the MRF with the remainder directed to the landfill for disposal. As of December 1st, Nortech is receiving and processing approximately 85% of the residentially generated MSW delivered by the Participating Agencies. The remainder, along with commercially generated MSW, is being directed to the landfill for burial. Nortech is continuing their efforts to modify the MRF to resume processing as much MSW as possible.

The increased landfilling of material necessitated the WPWMA and Nortech to identify alternative areas of the landfill to receive waste during periods of dry weather to preserve the disposal capacity of areas designated and prepared for wet weather operations. WPWMA and Nortech staff identified available capacity in Modules 12 and 13 and developed and implemented a fill plan to maximize use of the available space. Temporary disconnection of existing LFG wells and conveyance piping located in identified area is necessary to accommodate fill operations.

As filling of these areas in Modules 12 and 13 was not anticipated this fiscal year, funding for the temporary disconnection and modification of the LFG system was not included in the current SCS Agreement. Staff negotiated the attached proposed Fifth Amendment with SCS to provide these necessary LFG system support services ensuring adequate landfill disposal space.

ENVIRONMENTAL CLEARANCE:

Approving the proposed Fifth Amendment is exempt under Section 15061(b)(3) of the CEQA Guidelines. Staff has determined the action would not have a significant effect on the environment.

FISCAL IMPACT:

The cost of providing the work in the proposed Fifth Amendment is \$100,000. The proposed Fifth Amendment would increase the total not-to-exceed cost of the Agreement to \$3,862,444. Sufficient funding for these services is included in the FY 2021/22 Budget.

ATTACHMENT: FIFTH AMENDMENT

ADMINISTERING AGENCY: Western Placer Waste Management Authority

AGREEMENT: SCN101505

DESCRIPTION: Fifth Amendment to Agreement for GCCS and LCRS Operations, Monitoring and Maintenance, and Reporting

This FIFTH Amendment is made to be effective as of, from and after the day of _____, 2021 and between the **WESTERN PLACER WASTE MANAGEMENT AUTHORITY**, a joint powers authority organized under California law (hereinafter referred to as the "WPWMA"), and Stearns, Conrad and Schmidt Consulting Engineers, Inc. dba **SCS Field Services**, a Virginia Corporation authorized to do business in California (hereinafter referred to as the "Contractor").

RECITALS

1. The WPWMA and Contractor have entered into that certain "Agreement" for the Operation and Maintenance of the Western Regional Sanitary Landfill (WRSL) Gas Collection and Control System (GCCS) and Leachate Collection and Recovery System (LCRS) as of February 20, 2019 which was previously amended as of August 5, 2019 by the First Amendment, as of February 14, 2020 by the Second Amendment, as of January 14, 2021 by the Third Amendment, and as of August 3, 2021 by the Fourth Amendment (hereinafter referred to as the "Agreement").
2. On the evening of November 10, 2021, the Materials Recovery Facility (MRF) experienced a fire that rendered the facility temporarily inoperable and necessitates material to be diverted to the landfill.
3. Increased tonnage to the landfill has necessitated expanding operations into portions of Modules 12 and 13, which the WPWMA had not planned to fill until Fiscal Year 2022/23. To facilitate filling, the WPWMA identified the need to modify the landfill gas collection infrastructure in this area prior to commencing operations.
4. The WPWMA requested a proposal from Contractor to perform the necessary landfill gas collection system modifications and Contractor responded cost not to exceed One Hundred Thousand Dollars (\$100,000).
5. The WPWMA and Contractor desire to amend the Agreement to reflect the revised understanding between the parties as set forth below. All references in this Fifth Amendment to a Section, to an Appendix, or to an Exhibit shall refer to that Section or Exhibit of the Agreement, and all terms defined in the Agreement shall have the same meaning herein.

NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:

- a. The last sentence in item 2. **Payment**, shall be replaced with the following sentence:

"The total amount payable for all services provided under this Agreement, including Additional Services, shall not exceed Three Million Eight Hundred Sixty

Two Thousand Four Hundred Forty Four Dollars (\$3,862,444) without the prior written approval of the WPWMA.”

Except as expressly provided in this Fourth Amendment, the Agreement shall remain unchanged and in full force and effect. After this Fourth Amendment is duly executed and delivered by WPWMA and Contractor, this Fourth Amendment shall be and constitute an integral part of the Agreement.

IN WITNESS WHEREOF, the WPWMA and Contractor have executed this Fourth Amendment as of the day and year first above written.

Western Placer Waste Management Authority

By: _____
Executive Director

Date: _____

SCS Field Services

By: _____
Galen Petoyan,
Senior Vice President

By: _____
Curtis Jang,
Senior Vice President/CFO

APPROVED AS TO FORM:

By: _____
WPWMA Counsel

EXHIBIT B.5
PAYMENT FOR SERVICES RENDERED

Payment to Contractor will be made by the WPWMA on an hourly basis in accordance with Exhibit B-1.5 – Fee Schedule attached hereto.

Contractor shall submit invoices monthly for work performed describing in detail the work and work hours performed, the person(s) performing the work, his/her hourly rate, and the expenses for which reimbursement is claimed. Contractor shall include a spreadsheet that shows task budgets, charges by task for the current invoice, cumulative charges to date by task, and percent of budget remaining by task. Contractor shall state hours worked by each individual for the given reporting month. Contractor shall state hourly time in increments of no less than one-quarter (1/4) of an hour.

Provided the work has been satisfactorily performed, WPWMA will pay invoices within thirty (30) days after approval of the invoice. Contractor shall provide such additional information as the WPWMA may request to verify any of the amounts claimed for payment in any invoice. Contractor shall not exceed the individual task budgets set forth in Table 1. Such task budgets may be formally amended by written agreement of Contractor and the WPWMA Executive Director or designee. The total amount payable for all services provided under this Agreement shall not exceed Three Million Eight Hundred Sixty-Two Thousand Four Hundred Forty Four Dollars (\$3,862,444).

Table 1: Not-to-Exceed Task Budgets

Task	Description	Existing Budget	Fifth Amendment	Total
1	GCCS & LCRS Baseline Field Inspection	\$10,000.00	\$0.00	\$10,000.00
2	GCCS & LCRS OMM			
2A	LFG Operation, Monitoring & Maintenance within the BFS	\$255,866.00	\$0.00	\$255,866.00
2B	LFG Operation, Monitoring & Maintenance outside the BFS	\$1,017,755.00	\$0.00	\$1,017,755.00
2C	LCRS Operation, Monitoring & Maintenance	\$799,394.00	\$0.00	\$799,394.00
3	GCCS & LCRS Reporting			
3A	Immediate Reports	\$10,000.00	\$0.00	\$10,000.00
3B	Biweekly Reports	\$42,427.00	\$0.00	\$42,427.00
3C	Monthly Reports	\$75,840.00	\$0.00	\$75,840.00
3D	Quarterly Reports	\$46,704.00	\$0.00	\$46,704.00
3E	Semi Annual Report	\$27,016.00	\$0.00	\$27,016.00
4	Flare Source Testing	\$59,021.00	\$0.00	\$59,021.00
5	Emergency or Non-Routine Monitoring, Maintenance & Reporting			
5A	Response for WPWMA	\$354,582.50	\$0.00	\$354,582.50
5B	Response for Energy	\$24,086.00	\$0.00	\$24,086.00
5C	Response for Landfill Operator	\$158,078.80	\$100,000.00	\$258,078.80
5D	Response for Landfill Subsurface Oxidation Event	\$15,000.00	\$0.00	\$15,000.00
6	Annual Wellfield Design, Bid, Build, CM & CQA			
6A	Wellfield Design & BID	\$24,616.08	\$0.00	\$24,616.08
6B	Wellfield Build	\$192,595.42	\$0.00	\$192,595.42
6C	Wellfield Construction Management and CQA	\$20,000.00	\$0.00	\$20,000.00
7	Spare Parts/Consumables	\$240,000.00	\$0.00	\$240,000.00
8	Prepare Wellfield Improvement Design for Impacted Probe Area	\$18,109.00	\$0.00	\$18,109.00
9	General Engineering Services	\$42,835.20	\$0.00	\$42,835.20
10	Wellfield Improvements	\$254,518.00	\$0.00	\$254,518.00
11	GCCS Evaluation Report	\$55,000.00	\$0.00	\$55,000.00
12	Air Permitting Support	\$19,000.00	\$0.00	\$19,000.00
Total		\$3,762,444.00	\$100,000.00	\$3,862,444.00

**MEMORANDUM
WESTERN PLACER WASTE MANAGEMENT AUTHORITY**

TO: **WPWMA BOARD OF DIRECTORS** DATE: **DECEMBER 9, 2021**
FROM: **KEN GREHM / JENNIFER SNYDER**
SUBJECT: **SOLE-SOURCE SERVICE AGREEMENT WITH ENVIROSUITE FOR
ODOR MONITORING SYSTEM SOFTWARE & MAINTENANCE**

RECOMMENDED ACTION:

Authorize the Executive Director or designee, upon review and approval by WPWMA Counsel, to sign a three-year sole-source service agreement with Envirosuite Inc. for routine maintenance, support and operational upgrades of the WPWMA's continuous odor monitoring system for an amount not to exceed \$150,000.

BACKGROUND:

To facilitate the measurement of odors, the WPWMA installed a continuous odor monitoring system in 2014 to provide for a more accurate and quantifiable analysis of the dispersion of odors generated at the WPWMA's facility. The system includes three on-site odor collection sensors, a proprietary web-based software program owned and maintained by Envirosuite, server, weather station, and the recent addition of six off-site odor collection sensors.

The odor monitoring software offers the following features: continuous monitoring of facility conditions by providing data collected from on- and off-site odor sensors, the ability to analyze off-site impacts through air dispersion modeling estimates, a "reverse trajectory" algorithm to trace the pathway of an odor and predictive modeling Odor Risk Reports.

Based on the WPWMA's reliance of the continuous odor monitoring system for investigating reported odors, and Envirosuite's knowledge of our equipment and system, staff recommends your Board authorize the Executive Director or designee to execute a sole-source agreement with Envirosuite for the software maintenance and support services.

The proposed service agreement provides for labor, parts and materials necessary to maintain system performance, including conducting regular system testing, preventative maintenance and routine software and licensing upgrades. The proposed agreement also includes funds for operational upgrades to further customize the system to the WPWMA's needs as necessary.

ENVIRONMENTAL CLEARANCE:

Entering into a service agreement for the WPWMA's odor monitoring system is categorically exempt from further environmental review pursuant to Section 15301 "Existing Facilities" of the CEQA guidelines which provides for operation, repair, maintenance and minor alteration of existing public structures.

FISCAL IMPACT:

The cost of providing the proposed Scope of Services for each year of the three-year Agreement is \$50,000, which includes \$34,000 for the planned services and \$16,000 per year for system repairs or upgrades as requested by the WPWMA. Funding for this year's \$50,000 is included in the FY 2021/22 Budget.

ATTACHMENT: DRAFT SCOPE OF SERVICES

EXHIBIT A

SCOPE OF SERVICES

Consultant shall provide the following services necessary to maintain and upgrade as provided herein and as necessary for proper function of the WPWMA's Continuous Odor Monitoring System (COMS) located at 3013 Fiddymont Road, Roseville, CA 95747.

The term of the Agreement is three (3) years from date of execution.

TASK 1 – SOFTWARE LICENSE, SOFTWARE UPDATES, AND ROUTINE REMOTE MONITORING AND REPAIR

Software License, Updates and Support

The COMS system consists of the Envirosuite hosted software with 4 software modules for odor monitoring, including:

1. Module 1 – Environmental Compliance

This is the basic module of the software that provides a user interface, monitoring data management, arcs of influence and reporting capabilities.

2. Module 2 – Impact Modeling

Provides an off-site impact plume to assess the impact in real-time and in the past.

3. Module 3 – Incident Intelligence

Provides an odor notification management tool that includes a ticketing process for internal management and an estimated likely source of the odor for each notification.

4. Module 4 – Risk Management

Allows evaluation of the best time to perform a specific operation to minimize the risk of impacts off site.

Consultant shall provide the software license and conduct all software updates necessary for optimization of the WPWMA's COMS.

Daily Routine Remote Monitoring

Utilizing Consultant's specialized technicians, Consultant shall conduct daily remote monitoring of the WPWMA's COMS and report any necessary system maintenance to the WPWMA that may need to be conducted by Consultant under Task 2. Consultant shall acknowledge problems identified by the WPWMA within 2 business hours and identify the issue and establish a work plan and estimated repair timeline with the WPWMA within 24 hours.

Routine Annual Site Visit

Consultant shall conduct one (1) routine annual inspection and maintenance visit at the WPWMA's facilities and shall supply all equipment necessary for the inspection. At least 30-days in advance, Consultant shall propose dates/times for a site visit, and schedule the site visit with the WPWMA at a mutually agreeable time. Consultant shall perform a complete inspection of the following parts of the WPWMA's COMS during the annual inspection and replace as necessary parts, components or entire units of the following equipment to ensure proper function and operation: electronic noses (3); weather station (1); repeater unit (1); wireless bridge (1); central control unit (1). Consultant shall test the system and issue a certificate to the WPWMA testifying that the system was functioning properly at the time of the inspection or subsequent to any repairs made to the system by Consultant. Consultant shall prepare and submit an inspection report to the WPWMA summarizing the inspection.

TASK 2 – NON-ROUTINE MAINTENANCE, REPAIR AND REPLACEMENT

Remote Repair

Consultant shall conduct any repairs to the WPWMA's COMS for any conditions not foreseen or discovered in Task 1 that can be repaired remotely from Consultant's office. Consultant shall submit to the WPWMA a brief email summarizing the issue, resolution, and time and materials used to remedy the issue.

Onsite Repair

Consultant shall conduct any repairs to the WPWMA's COMS for any conditions not foreseen or discovered in Task 1 that must be repaired onsite at the WPWMA's facilities and cannot be repaired remotely from Consultant's office. Consultant shall submit to the WPWMA a brief email summarizing the issue, resolution, and time and materials used to remedy the issue.

Replacement

If any of the three (3) electronic noses are ultimately determined to be inoperable after conducting both remote and onsite troubleshooting and repair efforts, Consultant shall replace the broken unit(s) with Ambient E2 Sensors as depicted in Figure 1.

TASK 3 – ADDITIONAL SERVICES

The WPWMA may request Additional Services as needed subject to the WPWMA's approval of a written scope of services cost proposal provided by Consultant. In no event shall any Additional Services exceed the cost allocated in Exhibit B. Consultant shall not proceed with any services under this task until authorized in writing by the WPWMA's Executive Director or designee. Any approved Additional Services and costs shall be appended to this Agreement and such work shall be subject to all provisions of this Agreement.

**EXHIBIT B
PAYMENT FOR SERVICES RENDERED**

Payment to Consultant for Task 1 will be made by the WPWMA on a lump-sum basis and payment to Consultant for Tasks 2 and 3 will be made on a time and materials basis in accordance with the staff rate schedule attached hereto as Exhibit B-1 and subject to the task budgets listed in Table 1, below.

Consultant shall submit invoices, and for Tasks 2 and 3, describe the work and work hours performed, staff performing the work, staff hourly rate, and expenses for which reimbursement is claimed for Tasks 2 and 3. Consultant shall also include with each invoice a spreadsheet indicating task budgets, charges by task, cumulative charges to date by task, and percent of budget remaining by task. Consultant shall state hourly time in increments of no less than one-quarter (1/4) of an hour.

Provided the work has been satisfactorily performed, WPWMA will pay invoices within thirty (30) days after approval of the invoice. Consultant shall provide additional information requested by the WPWMA to verify any of the amounts claimed for payment in any invoice. The total amount payable for each task shall not exceed the amount set forth in Table 1; provided, however, upon written request of the Consultant and with written approval of the WPWMA's Executive Director or designee, the WPWMA may adjust the amount to be paid for any task if the WPWMA deems it necessary and appropriate. The total amount payable for all services provided under this Agreement shall not exceed one hundred and fifty thousand dollars (\$150,000.00) over the period of this Agreement.

Table 1 – Task Budgets

Task	Description	Payment Terms	Budget
1	Software License, Software Updates, and Routine Monitoring and Remote Repair	\$25,500 paid at start of Annual license. Remaining \$8,500 paid 9-months after the start date of each year during the term of the Agreement.	\$102,000
2	Non-Routine Maintenance and Repair	Time and materials basis	\$30,000
3	Additional Services & Special Projects	Time and materials basis as approved by WPWMA's Executive Director	\$18,000
Total			\$150,000

Subject to the task budgets listed above, the WPWMA will reimburse Consultant's reasonable costs of subcontractors, equipment rental and/or replacement at cost plus a maximum general Administrative Fee of ten percent (10%).

Travel

Consultant and the WPWMA acknowledge and agree that domestic and international travel (from Consultant's technician office in Montreal, Canada) may be required to perform the services included in Exhibit A, including:

1. Annual travel to the WPWMA site for services described in the Routine Annual Site Visit of Task 1.
2. Additional travel with WPWMA project manager prior written approval for Non-Routine Maintenance and Repair included of Task 2.
3. Travel for Additional Services and Special Projects approved by the WPWMA Executive Director or designee under Task 3.

Unless agreed to in writing by the WPWMA project manager, the WPWMA will reimburse Consultant's reasonable costs of meals, travel, lodging and incidentals for one traveler. Consultant shall submit receipts for these requested reimbursements, but a receipt is not necessary to receive expense reimbursement claims of \$25 or less per day of travel. Where applicable, the WPWMA will reimburse meals and incidentals according to the Federal per diem GSA (General Services Administration) guidelines (<http://www.gsa.gov>) for the travel destination for overnight travel.

DRAFT

EXHIBIT B-1

RATE SCHEDULE

CONSULTANT STAFF	HOURLY RATE
Senior Expert	\$225
Engineer	\$175
Technician	\$150

DRAFT